

REMARKS

In the Final Office Action¹, the Examiner rejected claims 1-9, 11, 12, 26-32, 35, 36, and 38 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,889,246 to Kawamoto et al. ("*Kawamoto*"), in view of U.S. Patent No. 6,449,219 to Hepp et al. ("*Hepp*"), and further in view of U.S. Patent No. 6,385,591 to Mankoff ("*Mankoff*"); and rejected claims 13 and 37 under 35 U.S.C. § 103(a) as being unpatentable over *Kawamoto*, in view of *Hepp*, in view of *Mankoff*, and further in view of U.S. Patent No. 6,628,974 to Lim ("*Lim*").

Applicant respectfully traverses the rejection of claims 1-9, 11, 12, 26-32, 35, 36, and 38 under 35 U.S.C. § 103(a). The prior art cited by the Examiner, *Kawamoto*, *Hepp*, and *Makoff*, does not teach or suggest each and every element of claims 1-9, 11, 12, 26-32, 35, 36, and 38. A *prima facie* case of obviousness has, therefore, not been established.

Claim 1 recites a system including, for example:

a plurality of hand held terminal devices . . .
an information distribution apparatus . . .
display means . . .

. . . .

wherein,

the information distribution apparatus distributes additional information comprising advertisement information to the plurality of hand held terminal devices at the same time as the watch information so that the additional information is displayed on a portion of the display means of the plurality of hand held terminal devices, and

the advertisement information is displayed as an Internet banner depicting items for sale and is displayed with the watch information.

¹ The Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Final Office Action.

(emphasis added). *Kawamoto* discloses a network server and terminal device that “transmit various information to a user being the destination of the information” (col. 1, lines 37-38). *Kawamoto* is silent regarding “watch information” and “advertisement information.” However, the Examiner states that the various information disclosed in *Kawamoto* could correspond to the claimed “watch information” and “advertisement information” (Final Office Action at page 7). The Examiner’s reasoning is based on a wristwatch as disclosed in *Hepp* and virtual coupon transmission as disclosed in *Mankoff*. The Examiner attempts to bolster this reasoning by asserting the *Hepp* “teaches the capability to display additional information in conjunction with time information” (Final Office Action at page 7). The Examiner’s reasoning is incorrect for several reasons.

Hepp discloses a wristwatch that may depict the time of day and geographical information such as the horizon, sun, and moon (col. 4, lines 51-67 and Fig. 1). The display in the timepiece of *Hepp* does not come from a system for distributing watch information comprising “a plurality of hand held terminal devices that acquire and process said watch information.” In sharp contrast, *Hepp* merely discloses an animated wristwatch.

Moreover, the additional information in *Hepp* referenced by the Examiner is merely geographical information. One of ordinary skill would not replace geographical information, such as the horizon, sun, and moon, with “advertisement information.” In addition, even if one would consider such an improper modification, *Hepp* does not teach or suggest a system for distributing such information to the wristwatch.

Kawamoto discloses transmission of information to a cell phone or computer (Fig. 1). However, *Kawamoto* fails to disclose distributing either “watch information” or “advertisement information.” The mere disclosure of transmitting various information in *Kawamoto* does not support the Examiner’s contention that this information could include both “watch information” and “advertisement information.” Moreover, while the Examiner states that additional information is received at the same time, Applicant finds no teaching or suggestion in *Kawamoto* to support this contention.

No “advertisement information” exists in either *Kawamoto* or *Hepp*. Therefore, *Kawamoto* and *Hepp* do not teach or suggest the claimed “advertisement information.” Accordingly, *Kawamoto* and *Hepp* cannot teach or suggest the claimed information distribution apparatus wherein “the information distribution apparatus distributes additional information comprising advertisement information to the plurality of hand held terminal devices at the same time as the watch information so that the additional information is displayed on a portion of the display means of the plurality of hand held terminal devices, and the advertisement information is displayed as an Internet banner depicting items for sale and is displayed with the watch information,” as recited in claim 1.

Mankoff does not cure the deficiencies of *Kawamoto* and *Hepp*. *Mankoff* discloses a virtual coupon that is “obtained when a user selects a given link in a Web page being displayed on a client machine” (col. 1, lines 45-47). The virtual coupon may be downloaded to a PDA (col. 1, lines 51-53). According to *Mankoff*, a coupon may be saved to a client machine and downloaded to a PDA. The coupon may be redeemed “in exchange for a discount on a given product” (col. 1, lines 64-67).

Even assuming that *Mankoff* discloses “advertisement information,” which Applicant does not concede, the combination of references does not support a contention that 1) “watch information” and “advertisement information” are distributed at the same time and 2) “advertisement information is displayed as an Internet banner depicting items for sale and is displayed with the watch information,” as recited in claim 1.

There is no teaching or suggestion in the references that a combination of *Kawamoto*, *Hepp*, and *Mankoff* would achieve distribution of “watch information” and “advertisement information” at the same time. Furthermore, there is no suggestion that “advertisement information” is displayed with “watch information.” Therefore, *Kawamoto*, *Hepp*, and *Mankoff* do not teach or suggest the claimed combination of elements including, for example, an information distribution apparatus wherein “the information distribution apparatus distributes additional information comprising advertisement information to the plurality of hand held terminal devices at the same time as the watch information so that the additional information is displayed on a portion of the display means of the plurality of hand held terminal devices, and the advertisement information is displayed as an Internet banner depicting items for sale and is displayed with the watch information,” as recited in claim 1.

Accordingly, *Kawamoto*, *Hepp*, and *Mankoff* fail to establish a *prima facie* case of obviousness with respect to claim 1, at least because the references fail to teach each and every element of claim 1. Claims 2-9, 11, 12, and 14 depend from claim 1 and are thus also allowable over *Kawamoto*, *Hepp*, and *Mankoff*, for at least the same reasons as claim 1.

Independent claim 26, though of different scope from claim 1, is allowable for at least the same reasons as claim 1. Claims 27-32, 35, 36, and 38 depend from claim 26 and are thus also allowable over *Kawamoto*, *Hepp*, and *Mankoff* for at least the same reasons as claim 26.

Although the Examiner cites *Lim* in the rejection of dependent claims 13 and 37, Applicant respectfully asserts that *Lim* fails to cure the deficiencies of *Kawamoto*, *Hepp*, and *Mankoff* discussed above.

In view of the foregoing, Applicant respectfully requests reconsideration of the application and withdrawal of the rejections. Pending claims 1-9, 11-14, 26-32, and 35-38 are in condition for allowance, and Applicant requests a favorable action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: /David W. Hill/
David W. Hill
Reg. No. 28,220